



PATENT

I hereby certify that on January 10, 2003, which is the date I am signing this certificate, I am depositing this correspondence the United States Postal Service, first class mail, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

Rita Soto

Rita Soto

Applicants: Dale E. Harder

Serial No.: 09/887,193

Filed: June 22, 2001

Title: **Writing Instrument Having a Reservoir
Between a Tip and a Capillary Storage**

Examiner: David J. Walczak

Group Art Unit: 3751

Attorney Docket No.: 11286-01055

*Recon
#10*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE TO THE NOTICE OF NON-COMPLIANT AMENDMENT DATED

DECEMBER 23, 2002

RECEIVED

*1/29/03
D. S. S. S.*

JAN 24 2003

TECHNOLOGY CENTER R3700

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice of Non-Compliant Amendment (37 CFR 1.121) dated December 23, 2002, Applicant hereby cancels the amendments made to claims 33 and 41 in the Applicant's response dated December 4, 2002.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is respectfully requested to call Applicant's undersigned representative at (213) 689-5176 to discuss the steps necessary for placing the application in condition for allowance.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1853. Should such additional fees be associated with an extension of time, applicant respectfully requests that this paper be considered a petition therefore.

Respectfully submitted,

Sung I. Oh

Sung I. Oh, Reg. No. 45,583

Attorney for Applicant

Squire, Sanders & Dempsey, LLP

801 South Figueroa, 14th Floor

Los Angeles, CA 90017

Telephone: (213) 689-5176

Facsimile: (213) 623-4581